

Wards Affected **Todmorden, Calder Valley, Greetland and Stainland**

Cabinet

Date **11 April 2016**

Neighbourhood Planning Approvals and Potential Changes to the Council's Delegations

Report of the Director, Economy and Environment

1. ISSUE

1.1 There are two separate but related issues:

1.1.1 Consideration of applications for the granting of powers to undertake neighbourhood planning under the Town and Country Planning Act 1990.

1.1.2 Consideration of the future administrative and decision-making process. In particular delegations for the granting of neighbourhood powers, given the changes in the Regulatory framework which the Government have introduced, which reduces the time allowed to determine applications.

1.2 The applications for neighbourhood planning powers relate to an application for a Neighbourhood Area in the area administered by Todmorden Town Council and an application by Greetland and West Vale Forum for designation as a Neighbourhood Forum and application by Greetland and West Vale Forum for a Neighbourhood Area proposed to be designated within part of Greetland and Stainland Ward. That part of Greetland and Stainland Ward that would be covered by a prospective application for a Parish Council has been excluded from this application. By way of explanation for this, the application states that:

The 'Stainland' part of the Ward is made up of semi-rural villages, including a conservation area. In discussion with their local Community Groups they have decided to pursue the option of their own Neighbourhood Plan once the Parish Council application is finalised.

2. NEED FOR A DECISION

2.1 Granting of the powers to undertake Neighbourhood Planning is a legal process which requires a decision by Council. The creation of delegated authority for the Director of Economy & Environment in consultation with the Cabinet Member for Economy & Environment to agree Neighbourhood Areas and approve Neighbourhood Forums also requires agreement of the Council.

3. RECOMMENDATION

It is recommended:

- 3.1 That Cabinet recommend to Council that the area administered by Todmorden Town Council is designated as a Neighbourhood Area in accordance with Section 61G of the Town and Country Planning Act 1990, for the purposes of undertaking Neighbourhood Planning.
- 3.2 That Cabinet recommend to Council that the prospective Greetland & West Vale Forum be granted powers under Section 61F of the Town and Country Planning Act 1990 to be designated as a Neighbourhood Forum
- 3.3 That Cabinet recommend to Council that the Neighbourhood Area for the area applied for by the prospective Greetland and West Vale Forum subject to the boundary being amended to reflect Polling District boundaries as shown on the map at Appendix 3 to this report is designated in accordance with Section 61G of the Town and Country Planning Act 1990.
- 3.4 That Cabinet recommend to Council that delegated authority is given to the Director of Economy & Environment in consultation with the Cabinet Member for Economy & Environment to approve applications for Neighbourhood Areas and approve the designation of Neighbourhood Forums. following consultation on the applications for such designations.

4. BACKGROUND

- 4.1 The Localism Act 2011 introduced new powers available to communities which enables them to take responsibility for the planning of their local area with the power to :
- make a neighbourhood development plan (NDP);
 - make a neighbourhood development order (NDO);
 - make a Community Right to Build Order (CrtBO);
- 4.2 The powers can only be taken-up by “relevant bodies” which are of two forms : -
1. **Parish and Town Councils.** These bodies have the right to take up the Neighbourhood Development Plan powers, but need the formal agreement of the Council to the area for which these powers will apply; or
 2. **Neighbourhood Forums.** These bodies can be set up in areas not covered by Town or Parish Councils. The formal designation of the Neighbourhood Forum requires the approval of the Council and the area for which they will take the Neighbourhood Planning Powers also requires a separate resolution.
- 4.3 Two applications for the designation of a Neighbourhood Area have been received, they are available for inspection on the Council’s web-site and are not incorporated into this report:
1. Todmorden Town Council administrative area;
 2. Prospective Greetland & West Vale Forum and its proposed area;
- 4.4 The Neighbourhood Planning (General) Regulations 2012 require that the application for designation of a Neighbourhood Area must include the following information:-
- A map which identifies the area to which the application relates;
 - A statement explaining why this area is considered appropriate to be designated as a neighbourhood area;
 - A statement that the organisation or body is a relevant body for the purposes of Section 61G of the Town and Country Planning Act 1990, or capable of meeting these requirements through the designation of.
- 4.5 Todmorden Town council are the relevant body for the purposes of the Regulations, whilst the prospective Greetland and West Vale Forum have the potential to become the qualifying body once they have been granted the powers.
- 4.6 The Government has streamlined the Neighbourhood Planning process and have amended the Regulations which govern the determination of applications. In particular the Government has greatly reduced the time available for the determination of applications. The Regulations as amended in 2015 permit between 8 and 13 weeks between the publication of the Consultation for the Area and the decision having been made. The 8 week limit relates to where the application has been submitted by a Parish Council, whilst the 13 week limit relates to an application from a prospective Neighbourhood Forum. Even though the period for which applications have to be advertised has also been shortened - for Parish/Town council's the advertisement Period is now just 4 weeks; for all other areas the period is 6 weeks - the Council’s meeting schedule and report preparation times

mean that this is very difficult in practice to comply with the deadlines. It is known that Neighbourhood Planning is becoming more attractive to communities across Calderdale and there is an expectation that further applications will come forward. In order to meet the requirements of the Regulations there is a need to consider amending Council delegations to support Neighbourhood Planning.

5. CONSULTATION

5.1 The Neighbourhood Planning (General) Regulations 2012 require the Council to publicise a Neighbourhood Area application. Formal consultation commenced on Friday 15th January 2016 and closed on Friday 26th February 2016. The applications were advertised through the Council's web-site, Statutory Notices were placed in the Halifax Courier, Hebden Bridge Times and Todmorden News. Copies of the application and consultation documents were lodged with Halifax Customer First; Todmorden Customer First, and placed in local libraries within each potential neighbourhood area. (Local Plan web-pages set out more detailed information and facilitated on-line engagement. A questionnaire was established which allowed respondents to say "yes" or "no" to the granting of approval for the Area.

5.2 Comments Received

Comments have been received for both of the applications. All the comments are included in an Appendix to this report. However a brief summary of the comments is included here.

5.3 Comments for Todmorden Town Council Neighbourhood Area

19 identifiable comments were received.

The majority of comments received for Todmorden were either positive or neutral. One negative comment was received expressing concern about development of green field land within Todmorden.

Council consideration of the comments:

The only adverse comment relates to potential development of green field land. Given that the process is at a very early stage, this comment is considered to be premature.

5.3 Comments for Greetland and West Vale

As there are two separate applications one relating to the establishment of a Neighbourhood Forum and the other relating to the Neighbourhood Area for which the Forum will be given the powers, the comments are recorded separately. 34 identifiable comments have been received.

5.4 Comments on the Greetland and West Vale Forum :

Some comments are concerned that the potential make-up of the proposed Forum is heavily influenced by Business representatives within West Vale, and do not include sufficient residents nor any specific representation for the Norland Area.

5.5 Council Consideration of the Comments:

Local Businesses have rights to participate in neighbourhood planning, in the same way that local residents can. As the Initial Forum is a starting point, local residents can use their democratic rights to join in the Forum and help to shape and steer the outcomes.

An approach has been made to the applicant for the proposed Area and Forum (Cllr Marilyn Greenwood) regarding the representations of residents of Norland and she has responded:

“Just to let you know that I have arranged a meeting with community representatives in Norland

I have discussed the matter in full with a couple of residents already. They have now decided that they wish to be on board and included in the neighbourhood plan...I now believe this concern is now resolved. The residents now seem satisfied with our explanations.”

The rights of Norland and other residents from across the areas are not prejudiced or restricted by the prospective Forum. New members of the Forum can come forward at any time and they can help shape the outcomes that the Neighbourhood Plan will seek to deliver. As a result it is not considered appropriate to deny the application for the Forum.

5.6 Comments on the Greetland and West Vale Neighbourhood Area :

A number of respondents comments upon the boundary shown on the Application. Two different suggestions are made:-

1. They suggest that this should be amended to reflect the proposed submissions relating to Stainland Parish Council.
2. Some residents of Norland have taken exception that Norland is included within the proposed Forum/Neighbourhood area and they have expressed a preference for Norland to be designated as a Neighbourhood Area and thus excluded from this

5.7 Council Consideration of the Comments

It has become clear that there is a discrepancy regarding boundary of the proposed neighbourhood area and the potential Stainland Parish Council. The Neighbourhood Area follows Super Output Area boundaries, whilst the potential Parish Council follows polling district boundaries. It is appropriate that the Neighbourhood Forum area should also follow Polling District boundaries in order to facilitate the later referendum process, and therefore it is proposed to approve the area on the basis of a small amendment. The Council can approve the application with an amended boundary and this has been suggested to and agreed by the applicant.

It is therefore proposed that the application for the area be approved with a minor amendment, as shown on the plan contained in Appendix 3.

6. OPTIONS CONSIDERED

6.1 The designation of a Neighbourhood Forum and Neighbourhood Area are separate processes and there are separate options for each of the required resolutions:-

- A. To agree the designate the Todmorden Town Council area as a Neighbourhood Area or not;
- B. To designate the Greetland and West Vale Forum as a Neighbourhood Forum or not;
- C. To agree the designation of the Greetland and West Vale Neighbourhood Area or not
- D. To agree that delegated authority is given to the Director of Economy and Environment in consultation with the Cabinet Member for Economy and Environment to approve applications for Neighbourhood Areas and approve the designation of Neighbourhood Forums. following consultation on the applications for such designations.

6.2 **Option A: Designating the Todmorden Town Council area as a Neighbourhood Area**

6.3 The following considerations need to be made regarding the application:-

- i. Is the application from a “relevant body” and does it provide the relevant information?
- ii. Should the Council approve the Todmorden Town Council area as a Neighbourhood Area in its entirety; should the Council reject the Neighbourhood Area OR should the Council make amendments to the area that will be designated?

6.4 **Is the application from a “relevant body” and does it provide the relevant information?**

The LPA can designate a Neighbourhood Area but only if a valid application has been made and that application was made by a “relevant body”.

Consideration: The Neighbourhood Planning (General) Regulations 2012 require that applications for designation as a Neighbourhood Area must include the following information:-

- A map which identifies the area to which the application relates
- A statement explaining why this area is considered appropriate to be designated as a neighbourhood area
- A statement that the organisation or body is a relevant body for the purposes of Section 61G of the Town and Country Planning Act 1990.

Todmorden Town Council forms a “relevant body” for the purposes of Section 61G (2) of the Town and Country Planning Act 1990. The application also included all of the required information. The submission of the application therefore complies with the Regulations.

- 6.5 **Should the Council approve the Todmorden Town Council area as a Neighbourhood Area in its entirety; should the Council reject the Neighbourhood Area OR should the Council make amendments to the area that will be designated?**

Consideration: in determining the application for the designation as a Neighbourhood Area regard must be had to the desirability of designating the whole area. The issue is whether or not the specified area is an 'appropriate area to be designated as a Neighbourhood Area'. The proposed Neighbourhood Area covers the whole administrative area of Todmorden Town Council and is considered logical and appropriate.

- 6.6 **Option B: Designating the Greetland and West Vale Forum as a Neighbourhood Forum**

- 6.7 The choice is to either designate the Neighbourhood Forum or not.

- 6.8 Section 61F(5) of the Town and Country Planning Act states that local planning authorities may designate an organisation or body as a neighbourhood forum if the following conditions are met:

- It is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned.
- Its membership is open to-
 - (i). Individuals who live in the neighbourhood area concerned,
 - (ii). Individuals who work there, and
 - (iii). Individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned.
- Its membership includes a minimum of 21 individuals, each of whom falls into at least one of the categories in (i) to (iii) above.
- It has a written constitution.

- 6.9 The Act goes on to state that when the local planning authority is determining whether to designate an organisation or body as a neighbourhood forum, it must have regard to the following considerations:

- Whether the organisation or body has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of the sub-paragraphs (i) to (iii), of paragraph 6.8.
- Whether membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
- Whether the organisation's purpose reflects (in general terms) the character of the neighbourhood area.

- 6.10 Greetland and West Vale Forum has been established for the express purpose of promoting or improving the social, economic and environmental wellbeing of the Greetland and West Vale Neighbourhood Area. Its application includes a constitution. It has also at least 21 members each of whom lives, works or is an elected member of the Neighbourhood Area that will be designated. These elements of the application satisfy the statutory requirements as set out in paragraph 6.8 above.
- 6.11 In addition to the requirements of the conditions listed in paragraph 6.8, the LPA is also required to have consideration to the matters listed in paragraph 6.9.
- 6.12 The prospective Neighbourhood Forum has a membership of more than 21 people living, working or acting as elected members in the area. The membership is drawn from different places in the area and different sections of the community. It comprises of persons of all ages and includes Company Directors (currently working and retired) business owners, a Peer of the Realm, Ward Councillors, single parents, people living alone, residents without personal transport, a retired Housing Association Director, a Professional Fundraiser and local residents with an active interest in the local community. It would therefore also appear that the Neighbourhood Forum broadly appears to reflect the character of the Neighbourhood Area. The elements of the application satisfy the requirements as set out in paragraph 6.9 above.
- 6.13 **Option C: To agree the designation of the Greetland and West Vale Neighbourhood Area**
- 6.14 The following considerations need to be made regarding the application:-
- i. Is the application from a “relevant body” and does it provide the relevant information?
 - ii. Should the Council approve the Greetland and West Vale area as a Neighbourhood Area in its entirety; should the Council reject the Neighbourhood Area OR should the Council make amendments to the area that will be designated?
- 6.15 **Is the application from a “relevant body” and does it provide the relevant information?**

The LPA can designate a Neighbourhood Area but only if a valid application has been made and that application was made by a “relevant body”.

Consideration: The Neighbourhood Planning (General) Regulations 2012 require that application for designation as a Neighbourhood Area must include the following information:-

- A map which identifies the area to which the application relates
- A statement explaining why this area is considered appropriate to be designated as a neighbourhood area
- A statement that the organisation or body is a relevant body for the purposes of Section 61G of the Town and Country Planning Act 1990.

If the prospective Greetland and West Vale Forum is designated as a Neighbourhood Forum (as per the recommendation) then it would form a “relevant body” for the purposes of Section 61G (2) of the Town and Country Planning Act 1990. The application for Neighbourhood Area also included all the required information. Therefore, the submission of the application complies with the Regulations.

6.16 Should the Council approve the Greetland and West Vale area as a Neighbourhood Area in its entirety; should the Council reject the Neighbourhood Area OR should the Council make amendments to the area that will be designated?

Consideration: in determining the application for the designation as a Neighbourhood Area regard must be had to the desirability of designating the whole area. The issue is whether or not the specified area is an ‘appropriate area to be designated as a Neighbourhood Area’. The proposed Neighbourhood Area covers the Greetland and Stainland Ward, however, the part of that Ward which falls with the Parish Council boundary has been excluded from the application. It has been agreed that the Neighbourhood Area applied for should be amended to reflect the Polling District boundaries. The amendment to the Neighbourhood Area is show shaded in pink on the plan at Appendix 3.

6.17 Option D: To agree delegated authority to the Director of Economy and Environment

6.18 As detailed at paragraph 4.6, the Government has streamlined the Regulations relating to Neighbourhood Planning, and have shortened the time within which Councils are allowed to determine applications.

6.19 In order to ensure that the Council complies with the new time limits the preferred option is to introduce delegated powers as detailed above. This would speed up the process and improve the efficiency and effectiveness of decision making, which would in turn would mean that there was an efficient delivery of Council functions.

6.20 This delegation would only relate to this stage of neighbourhood planning and would not apply to the “making” of plans following a successful referendum. That power would lie with Council.

7. FINANCIAL IMPLICATIONS

7.1 Once the Neighbourhood Area has been formally designated the Council has a “Duty to Support” the creation and development of the Neighbourhood Development Plan or other rights that the relevant bodies choose to take up, the local planning authority is legally required to advise or assist those bodies producing a Neighbourhood Plan in its area.

This could include things like:

- arranging meetings, as appropriate, with the qualifying body;
- making available data for the evidence base, such as housing need data, development viability considerations, environmental designations, and flood risk assessments;
- setting out local strategic policies in the Local Plan;

- setting out national policies which will need to be considered;
- providing advice on the legal requirements for Neighbourhood Planning under the Localism Act;
- providing advice on general planning matters;
- sharing information on key contacts and stakeholders;
- making available venues and helping to arrange community engagement activities, to avoid consultation overload and maximise efficiencies of resources;
- checking the plan prior to formal submission;
- participation in meetings of the qualifying body or its working groups;
- providing advice on who needs to be consulted, especially in order to help the draft proposals meet the basic conditions (such as compatibility with EU obligations);
- providing technical support, such as assistance in laying out and illustrating a plan;
- providing members for neighbourhood forums or more informal steering/working groups;
- identifying any need for and undertaking environmental assessment or Habitat Regulations Assessment.

7.2 The Duty to Support does not require the giving of financial assistance to parish councils or designated neighbourhood forums, but Council's may offer financial assistance if they wish. This Council does not have a budget specifically for supporting Neighbourhood Planning, and therefore support will generally be in kind and through staff time and assistance rather than financial contributions.

7.3 The Government has recognised the liabilities that Council's will have in respect of Neighbourhood Planning and has established a fund against which the Council can draw down phased funding called Neighbourhood Planning Grant. For the Financial year 2014/15 the arrangements set by DCLG are as follows: -

- The first payment of £5,000 will be made following designation of a neighbourhood area recognising the officer time supporting and advising the community in taking forward a neighbourhood plan. For authorities designating several neighbourhood areas, each local planning authority could claim up to a maximum of £100,000 for area designations, in 2013/14 for example.
- The second payment of £5,000 will be made when the local planning authority publicises the neighbourhood plan prior to examination. This will contribute towards the costs of the examination as well as other staff costs incurred at this stage.
- The third payment of £20,000 will be made on successful completion of the neighbourhood planning examination. This is to cover costs for that examination and any other further steps that may be needed for the neighbourhood plan to come into legal force, including referendum. However, the payment is not dependent on pursuing the referendum route if both parties agree on a different approach at that point (for example, if both parties agree, the neighbourhood plan could be taken forward as part of the local plan or as a supplementary planning document). There was no cap in 2013/14 nor in 2014/15.

8. ENVIRONMENT AND HEALTH IMPLICATIONS

- 8.1 The need to support strong, vibrant and healthy communities, and the need to protect and enhance our natural, built and historic environment are key objectives of the planning system. Neighbourhood Plans form part of the statutory Development Plan for Calderdale and as such they represent an important opportunity to make a meaningful contribution to these objectives.

9. EQUALITY AND DIVERSITY

- 9.1 It is considered that there are no direct equality and diversity implications arising from these recommendations.

10. RISK AND LEGAL IMPLICATIONS

- 10.1 Granting Neighbourhood Planning Powers gives the “qualifying body” the power to bring forward the following: -

- a neighbourhood development plan (NDP);
- a neighbourhood development order (NDO);
- a Community Right to Build Order (CrtBO);

Preparation of these plans and orders would be the responsibility of the respective Town Council or designated Forum to prepare.

However Calderdale Council would be responsible for final checking of the NDP and for appointing the Inspector to undertake the examination and arranging the referendum. Ultimately the major risk is that the “qualifying body” fails to bring forward a “sound” Neighbourhood Development Plan. However that is not a reason which should weigh against designation.

- 9.2 Ensuring the Council fulfils its “Duty to Support” obligations (generally set out in paragraph 7.1) will help ensure that the Neighbourhood Forum addresses the relevant planning and other issues as they progress in plan making and avoid potential issues through the process.
- 9.3 The Town and Country Planning Act 1990 Section 61G (as amended by the Localism Act 2011) provides the framework for the Council to grant the powers sought by these applications from Hebden Royd Town Council and the Hill Top Parishes.

11. CORPORATE IMPLICATIONS / POPULATION OUTCOMES

- 11.1 The granting of the powers for the neighbourhood area will contribute to the Council’s priority outcomes for: -

Growth : *driving economic development and enterprise;*

The NDP will bring forward policies and ideas for growth and development within the Todmorden Town Council area and Greetland and West Vale

Neighbourhood Area to meet the aims and aspirations of the local community;

Ambition : *raising aspiration and achievement for all our residents;*

The NDP will help to promote enterprise across Todmorden and Greetland and West Vale and allow the community to develop its own vision and proposals for a better future;

12. CONCLUSION

- 12.1 These applications for Neighbourhood Areas are from relevant bodies and have been subject to consultation in accordance with the Regulations. Overall the applications are considered to be acceptable and therefore the Council should grant the powers to Todmorden Town Council and the prospective Greetland and West Vale Forum to undertake neighbourhood planning within the areas applied for. A number of comments have been received for both applications, and for the Greetland & West Vale area a slight discrepancy has been identified, which should be reflected in the area for which the approval is granted.
- 12.2 The regulatory process has been streamlined by the Government and there is a need to introduce delegations to allow decisions to be made facilitate the determination of applications within the timescale now set by the Government.

29 March 2016

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The documents used in the preparation of this report are:

1. Localism Act 2011;
2. Town and Country Planning Act 1990 (as amended);
3. Neighbourhood Planning (General)(Amendment) Regulations 2015 (SI2015 No.20)
4. Locality – Neighbourhood Plans Roadmap Guide 2013;
5. Calderdale Council - Neighbourhood Development Plans Guidance March 2013;
6. Application by Todmorden Town Council for designation of a Neighbourhood Area;
7. Application by the prospective Greetland and West Vale Forum for both Forum approval and area designation;
8. Comments made regarding the applications which may be found on Calderdale Council's – Planning Consultation Portal at :
 - a. For Todmorden Neighbourhood Area :
http://calderdale.objective.co.uk/portal/planning_services/ndp/todndp?tab=list
 - b. For Greetland and west Vale Neighbourhood Area and Forum :
http://calderdale.objective.co.uk/portal/planning_services/ndp/gwv?tab=list

The documents are available for inspection at:

- On the internet or Council's web-site;
- The application is available for inspection at:
<http://www.calderdale.gov.uk/environment/planning/local-plan/neighbourhood-development-plans/index.html>

APPENDIX 1 :

Comments on the Todmorden Neighbourhood Area

Full Name	Organisation Details	Do you think that the Council should approve Todmorden Town Council/Parish boundary) as the Todmorden NDP area?	Reasons (if No) or Additional Comments
Chris Thornsby		Yes	
Mr Steve Hill		Yes	
Mr Mick Davies		Yes	
MR JONATHAN QUICK		Yes	
Mrs Rachel Brandwood		Yes	
Ms Paula Marshall		Yes	
Mr Malcolm Lumb		Yes	
Sarah Smith BSc (Hons) MA MRTPI	Kirklees Metropolitan Council		We do not wish to make any comments on the Todmorden application to designate a neighbourhood area. However, please consult Kirklees Council on the Neighbourhood Development Plans as they emerge if the above applications are approved.
Alison Watson	Natural England		See comment attached as Supporting Document.
Miss Rachael Bust	The Coal Authority		As you will be aware the Neighbourhood Plan area lies within the current defined coalfield. However as this consultation only relates to the proposed designation of the neighbourhood plan area, The Coal Authority has no specific comments to make at this stage. Whilst this is acknowledged this consultation only relates to the proposed area for a Neighbourhood Plan, it

Full Name	Organisation Details	Do you think that the Council should approve Todmorden Town Council/Parish boundary) as the Todmorden NDP area?	Reasons (if No) or Additional Comments
			<p>is the first opportunity to draw attention to the following facts, which we will reiterate at future consultation stages as necessary.</p> <p>See Supporting Documents for further comments.</p>
Mr Anthony Roberts		Yes	
Claire Dennison	Sustainable Places Planning Advisor Environment Agency	No Objection	<p>We have no objection to and no comments to make on the proposed Neighbourhood Development Plan boundary itself.</p> <p>See supporting documents for full response</p>
Mr James Copeland	National Farmers Union	General Comments	<p>As you will be aware the farming community continues to face formidable challenges with increasing regulation, volatile markets and fluctuating farming returns. In response to these challenges farmers have had to consider the resources available to them and look at new ways of developing their businesses so that they can grow and remain competitive. This might include the need for modern agricultural buildings either to meet regulations or to change the use of existing buildings in order to respond to changing market demand.</p> <p>Our members within the neighbourhood area are no exception and given that the area is largely farmed, it is clear that any form of Neighbourhood Plan must adequately the issues and opportunities of farming. Our vision for the area is:</p> <p>A sustainable rural community that is underpinned by an innovative rural economy, and thriving farming and food industry, which is profitable and supports viable livelihoods, underpins sustainable and healthier communities and enhances the environmental assets that are vital to the counties prosperity.</p> <p>For the farming community this vision is to be achieved by the following themes:</p> <ol style="list-style-type: none"> 1. Strengthening our farming businesses to help them build profitability and respond to new opportunities 2. To create thriving localities that meet the needs of their communities, businesses and their environment. 3. Realising the value of the region's environmental assets

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			<p>In addition we would see some of the key priorities for farms to include (not in order of priority):</p> <ol style="list-style-type: none"> 1. The ability for the next generation to take on management of farms and to support this through the provision of affordable housing to allow succession. 2. Develop farming enterprises that can meet the challenges of food security through modernising and becoming more efficient 3. Diversifying farming enterprises to meet new opportunities such as, inter alia, business units or tourism. 4. Developing renewable energy which meets the needs of the farm and are appropriate to the location and renewable resources available. 5. Access to high speed broadband. <p>Food production is a key priority for economic growth both nationally but also importantly in such a rural area. In the Government white paper 'Local Growth: realising every place's potential' the Coalition Government makes clear that the first priority "is to return the nation's economy to health". This includes creating, "the conditions that will help business and gets the economy growing" and this includes the support for farming enterprises so vital to the rural economy and enabling them to remain viable through diversified enterprises. We would expect that any proposals for developing farms will take this into account.</p> <p>Diversification is in line with National Planning Policy Framework (NPPF) that provides that local authorities should support development that enables farmers to become more competitive and sustainable and diversify into new opportunities. A key message within the NPPF is the need for economic growth. "A positive planning system is essential, because without growth, a sustainable future cannot be achieved. Therefore, significant weight should be placed on the need to support economic growth through the planning system...the default answer to development proposals is yes."</p> <p>In the NPPF the government makes a number of very important statements related to this the development of renewable energy. Paragraphs 95 to 98 make a number key points including: 'local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources' (para 97); 'have a positive strategy to promote energy from renewable and low carbon sources' which 'maximise renewable and low</p>

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			<p>carbon energy sources'. Renewable energy represents an important opportunity for farms to reduce their energy bills and also to create revenue that can help support farming activity. We understand that this can be a contentious issue within communities and are aware that early consultation with those that are either impacted or likely to gain is crucial.</p> <p>To help guide any work we have developed some principles which we believe will help to shape any activity in the area. These are:</p> <ul style="list-style-type: none"> • Food security is a crucial issue for now and the future and any actions must ensure that we do not compromise our ability to feed ourselves • We should look to increase farm productivity and decrease impact on the environment. • The achievement of sustainable development in rural areas through the integration of environmental, social and economic objectives. • Meet the needs of a diverse rural population and ensure equality of opportunity. • Maintain and enhance the areas natural asset base. • Farmers and landowners should always be consulted and listened to with regard to developing the area. • Support sustainable growth in the rural economy. • Sustainable farming will support the wider community. • Not one system of farming is the answer and all should be supported for maximum benefit to society and the environment • Encourage links between rural areas and urban centres. <p>I hope that these comments are helpful and will be taken into account.</p>
Martyn Coy	The Canal and River Trust	Yes	
Lauren Garside	Yorkshire Wildlife Trust	No Comment	Yorkshire Wildlife Trust has no detailed comments to make about the red line boundary for the proposed neighbourhood plan area. We do however have the attached comments (see supporting documents) to make which we hope will be useful when composing the neighbourhood plan.
Mr Craig Broadwith	Historic Places Adviser Historic England	No Objection	Historic England has no objection to this proposed boundary; however we would like to take the opportunity of your consultation to raise the attached issues (see supporting documents) setting out the support Historic England is able to offer in relation to Neighbourhood Plans.

Full Name	Organisation Details	Do you think that the Council should approve Todmorden Town Council/Parish boundary) as the Todmorden NDP area?	Reasons (if No) or Additional Comments
Mrs Alison Tymon		Yes	I would like to give my reasons for supporting the Todmorden Neighbourhood Plan. Todmorden Moor is a nationally important geological site and also has a geological trail and supporting educational information available on websites. It would be very good for it to be included in a local development plan, to enable proper community involvement.
Dr Gareth Martin	West Yorkshire Geology Trust	Yes	I do support the Todmorden Neighbourhood Plan. However I note that the boundary covers several Local Geological Sites designated for their geological importance. In addition to Todmorden Moor LGS (which has been previously mentioned by another consultee), the plan boundary also covers Langfield Edge and Stoodley Pike LGS, Gorpley Clough LGS, Paul and Pudsey Cloughs LGS and Great Bride Stones LGS. Inclusion of these sites into the local development plan would help to safeguard the sites as well as raise awareness of the sites and foster community involvement with them.
Mr Christopher Hardwick		No	The map is incomplete but the plan to build on ANY green field site in Todmorden when there are several outstanding brown field site which have been eyesores for years is outrageous.

APPENDIX 2 :

Comments on the Prospective Greetland & West Vale Neighbourhood Forum and Area

Person Making Comment	Support / Objection to FORUM	Comments or reasons	Support /Objection to NEIGHBOUR HOOD AREA	Comments or Reasons
Thomas Ball	Objection	On looking at the list of proposed members of this proposed forum it would appear that the majority have a vested interest in the development of the village of West Vale. eg; shopkeepers, pub landlords, estate agents, and various other people who would stand to gain financially from the building of various forms of accommodation right in the centre of what is in fact a very small village which is already overcrowded with very poor transport access. I fail to see how reasonable access for extra dwellings on the site of an old mill could possibly be safely achieved taking into account the ridiculous and frankly dangerous access for the Co-op supermarket directly across the road. West Vale centre is a complete gridlock at certain times of the day and an increase in dwellings would only add to the congestion. Why can't something be done with the site which would actually benefit the people living in Greetland. For example a small park for the mothers with children and families or older people to enjoy the outdoors. Why do all the proposed plans need to include bringing more and more people and vehicles into a congested area? Looking at the list of proposed members of this so-called forum I wonder! Looks as if greed is once more taking over.	Objection	The only area of this proposed neighbourhood development which the Forum appear to be interested in is the centre of West Vale for their own benefits. If this group are to be considered a neighbourhood group, they should be considering the people already living in the area and not thinking of their own interests.
Thomas	Objection	I think Norland is best served as a neighbourhood	Objection	Below are recent pictures taken by me a local resident showing flooding. Reckless development will but people into homes in

Person Making Comment	Support / Objection to FORUM	Comments or reasons	Support /Objection to NEIGHBOUR HOOD AREA	Comments or Reasons
Connor		<p>in its own right.</p> <p>The proposed boundary includes Norland. Residents in Norland have not been consulted on the proposed plan and there are no references in the plan to Norland. Residents of Norland have only recently become aware of this initiative and have not had the time to develop their own plan. It is the responsibility of the Council to ensure all residents are appropriately consulted and Calderdale have failed to do this. There are no representatives of Norland on the West Vale Committee.</p>		<p>known flood plains, and covering soakaway areas will increase flooding elsewhere in the local community.</p> <p>The forum should represent local residents not Businesses.</p>
Maxine Garbett	Objection	<p>I am writing to object to the Greetland, Sowerby Bridge and West Vale Neighbourhood Development Plans. I am objecting to these proposed boundaries on the following grounds that:</p> <ol style="list-style-type: none"> 1. Norland has not been notified of this plan. 2. Norland would prefer to create a Neighbourhood Plan of its own. 3. Norland is separate from Sowerby Bridge, Greetland and West Vale. 	Objection	I am happy for the Neighbourhood development plan area providing there is representation from the Norland community on the Forum
Sam Marshall	Objection	I think Norland is best served as a neighbourhood in its own right.	Objection	I think Norland is best served as a neighbourhood in its own right.
Keith Woodhouse		As a direct result of a marketing flyer from Natalie Ratner Norland residents have been made aware the Governments Neighbourhood Planning Initiative. This is the first time residents of Norland have been informed about this as far I can tell. It would appear that Norland has been attached to		The proposed boundary includes Norland. Residents in Norland have not been consulted on the proposed plan and there are no references in the plan to Norland. Residents of Norland have only recently become aware of this initiative and have not had the time to develop their own plan. It is the responsibility of the Council to ensure all residents are appropriately consulted and Calderdale

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		<p>the Plan submitted to the council by Greetland and West Vale. This plan makes no references to Norland other than the detail of the boundary map. There are no Norland representatives on the Greetland and West Vale committee. I understand that a deadline of mid-February has been set for Neighbourhood Planning applications which a timescale we would find impossible to meet if we were to consider our own Planning Application. Could you please take this email as a formal complaint about the process. It beggars belief that such an important initiative could go ahead without the opportunity for Norland Residents to have their say and or develop their own plan. Could you please explain how this has been allowed to happen in this manner and confirm it complies with Central Governments legislation relating to this scheme. Norland has a thriving local community, it raises significant amounts of money for charity each year as a result of the Scarecrow Festival and deserves the opportunity to at least discuss whether this issue is relevant to us and whether or not we should become part of other schemes or operate independently. I note nearly all the Greetland and West Vale committee are business owners and it makes me wonder just who elected these people! I look forward to your reply and expect that the deadline will be extended long enough for the People of Norland to exercise their democratic rights.</p>		<p>have failed to do this. There are no representatives of Norland on the West Vale Committee.</p> <p>The Boundary to exclude Norland Village, Norland Moor and North Dean Woods in anticipation of a seperate plan for this area.</p>
Catherine Taylor	Objection	I am writing to object to the Greetland, Sowerby Bridge and West Vale Neighbourhood Development Plans. I am objecting to these proposed boundaries on the following grounds	Objection	

Person Making Comment	Support / Objection to FORUM	Comments or reasons	Support /Objection to NEIGHBOUR HOOD AREA	Comments or Reasons
		that: 1. Norland has not been notified of this plan. 2. Norland would prefer to create a Neighbourhood Plan of its own. 3. Norland is separate from Sowerby Bridge, Greetland and West Vale.		
H&A Cliffe	Objection	Being long term residents (50 years) of Norland, we were very shocked and annoyed to be informed 2 days ago (11/2/16) that a committee in Greetland are trying to include Norland within their neighbourhood and development plans. We strongly oppose and object to this idea. We do not want to be included with either Greetland and West Vale or Sowerby Bridge. Norland is a unique and beautiful place in its own right entirely different from both these places. We (Norland) need to have our own Neighbourhood Plan.		
Robert Crowther	Objection	Not in its present form. The area covered by the current proposal is greater than Greetland & West Vale. It includes areas which have not been considered by those submitting the proposal and those people living outside Greetland & West Vale have had no voice in the matter or in formulating the aims and objectives.	Objection	The public notice in the local paper only mentions Greetland & West Vale, anyone from the village of Norland would not realise that their village was include in the prospective Neighbourhood Forum and not react to the notice. Similarly the documents on the council website make no specific mention of Norland, only by viewing the attached map would a person become aware of the area under consideration. All this has led to most of the people of Norland being unaware of the plans. Until the last ward boundary changes Norland was linked with Sowerby Bridge and many people still look to Sowerby Bridge as the more natural "partner". I believe time should be given for a wider awareness to take effect and for the people of Norland to come to a decision as to whether they wish to be part of the planned forum, or one which may be developed for Sowerby Bridge, or indeed whether to take steps for their own, independent forum.

Person Making Comment	Support / Objection to FORUM	Comments or reasons	Support /Objection to NEIGHBOURHOOD AREA	Comments or Reasons
Annabel Costello	Objection	The area includes Norland, yet there is no representation from Norland, and the proposal documents as titled are extremely misleading because they only refer to Greetland and West Vale.	Objection	Amend the area included in the Greetland and West Vale proposal to include those areas only. Norland (including Norland Moor) should be excluded, and should have its own neighbourhood forum.
Philippa Hather	Support		Objection	I would like to see tree's planted to prevent the flooding, not more houses. The schools, the doctors , the dentists can't manage as it is in the area and God forbid HRI A&E closes as that is added pressure and Halifax A&E won't be able to treat ill and dying patients or the low standards at Halifax hospital will be none existent.
The Canal and Rivers Trust	Support		Objection	We note that the northern and eastern boundaries of the Plan stop at the River and do not include the Rochdale Canal or Calder & Hebble Navigation. We seek to understand why the canals are not included within the Plan area. For example, the area outside the Plan incorporating the canals may be considered to be part of Sowerby Bridge and Copley areas and may be included within a future neighbourhood plan for these areas. However, should neighbourhood plans not come forward for these areas, we consider that the failure to include the canals within the Greetland and West Vale NP is a missed opportunity. The inland waterways are a multi-functional resource. Apart from their traditional role as a system of travel or transport they serve in a variety of roles, including: an agent of or catalyst for regeneration; a contributor to water supply and transfer, drainage and flood management; a tourism, cultural, sport, leisure and recreation resource; a heritage landscape, open space and ecological resource; and, a sustainable mode of transport; As such, the canal offers a valuable area of open space for leisure and recreation, allowing the local community to exercise and relax in a beautiful environment which brings health and wellbeing benefits to the local community. The canal is also a popular transport route and brings tourists to the area either by boat, bicycle or on foot. Many

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				<p>boaters moor overnight and provide a boost to the local economy by using local services. In light of the benefits that the canal brings to the area, we recommend the extension of the Plan area to include the canal in order that the Plan fully explores the ways to strengthen and develop the canals existing offer and increase the benefits offered by the canals to the local community. For example, improving access along, to and from the canal in the form of new signage to help direct people to the canal and improvements to the surface of the towpath. This would help more people enjoy the canal and benefit from the leisure and health opportunities that it has to offer. As such the Plan would help promote sustainable transport options in accordance with paragraph 35 of the National Planning Policy Framework (NPPF). We would welcome the opportunity to meet and discuss the further development of the Plan and how the canals can play an important role in its success in delivering the essential aims identified within the Plan by the local community.</p>
Graham Hale			No	More brown field development and not greenbelt
Stainland and District Community association			No	<p>Stainland and District Community Association and Parish Council Steering Committee would like to raise the following points regarding the proposed Neighbourhood Development Plan area for Greetland and West Vale. The proposed Neighbourhood Plan boundary overlaps with the proposed parish boundary for Stainland and District Parish Council.</p> <p>We would ask that the Neighbourhood Plan boundary follows the polling district boundary at Holywell/Black Brook, which is a strong and logical boundary. This would conform with the Parish boundary within the terms of reference which have been published.</p> <p>Please note that the Parish boundary has never followed Burrwood Way.</p>

Person Making Comment	Support / Objection to FORUM	Comments or reasons	Support /Objection to NEIGHBOUR HOOD AREA	Comments or Reasons
Judith Crossley	Objection		Objection	The area overlaps the neighbouring Stainland and District parish boundary. The Greetland and West Vale Neighbourhood Development Plan should follow the Black Brook and Holywell Brook which is a strong and historic boundary.
Mark and Amanda Tattersall			Objection	<p>We are writing to raise an objection to part of the proposed Greetland and West Vale Neighbourhood Development Plan area. The proposed Neighbourhood Development Plan area extends up into and overlaps the proposed Stainland & District Parish Council area. The Parish Council area follows the polling district boundary. The Neighbourhood Plan area does not follow the polling district boundary. Instead of stopping at Holywell/Black Brook on the edge of West Vale/Greetland, it deviates and extends up into Holywell Green as far as Burrwood Way. At no point has the proposed Parish Council boundary followed Burrwood Way. There appears to have been an oversight. We ask that the proposed Neighbourhood Plan area be amended to follow Black Brook and Holywell Brook, to conform to the polling district boundary.</p> <p>This would ensure that: there is no overlap of the Neighbourhood Plan area and the Stainland and District Parish Council area. long-established, strong boundaries continue without being altered.</p> <p>The Brook watercourse forms a strong natural division of the two areas and has been a precursor to the historical Stainland Parish boundary and polling district boundary.</p> <p>There is a Grade II listed boundary marker stone (for the division of the two areas of Stainland and Greetland) at Jagger Bridge (B6112 road).</p> <p>The description states that it lies over the middle of the Brook . Strong, easily identifiable boundaries tied to firm ground detail, which are unlikely to change, will be of benefit to the area (their desirability is endorsed by Government Guidance).</p> <p>The private access lane above the Brook is not a logical choice. The establishment of the Parish Council has been underway for</p>

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				<p>some years now.</p> <p>The terms of reference have been published and under them the Parish Council boundary follows the polling district boundary. The boundary follows the Brook either side of Jagger Bridge and beyond.</p> <p>A Neighbourhood Development boundary oversight could have a negative impact on the villages of Holywell Green and Stainland. This is because the proposed plan affects potential for development and the area which is overlapped is an area of Green Belt that prevents the merging of West Vale/Greetland with Holywell Green and Stainland. Putting the overlapping of the Parish Council area to one side, we believe the proposed Neighbourhood Plan area should follow the Brook for the various reasons mentioned above. We also ask the Council to consider the advantages of the Neighbourhood Plan continuing to follow the Brook by Stubbing Farm, Stubbing Lane.</p> <p>The Brook forms a natural and clearly defined division of the two areas (it is the original parish boundary) and is a stronger boundary, which is well suited to a Neighbourhood Development Plan.</p>
Colin Fieldhouse			Objection	<p>I do not agree with the proposed area included in the Neighbourhood Plan for West Vale and Greetland. The proposed Plan boundary overlaps the parish boundary proposed for Stainland and its districts. It also extends into the green belt that separates West Vale from Holywell Green which prevents the two areas from merging. The private farm track and Burrwood Way which have been proposed are not logical or strong boundaries. The Neighbourhood plan boundary should follow the polling district boundary at Jagger Green Bridge where Stainland Road crosses Holywell Brook. This would fit with the Stainland and District parish boundary which adheres to the polling district boundary on the opposite side of the brook. This would create a strong boundary, comply with relevant planning guidance and provide residents with a much clearer and logical boundary. The campaign for the creation of a new parish council has been underway since 2013 and its boundary has been published in the</p>

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				terms of reference. The Neighbourhood plan boundary is a recent proposal
Matthew Hather	Objection	I would Support the "Greetland & West Vale Neighbourhood Forum" if the proposed members of the panel where of a more even split, it seems weighted towards business owners than actual residents.		
John Clegg	Support		Support	
Joanne Clayton	Support		Support	
David Fielden	Support		Support	
David Fox	Support		Support	
Malcolm Lumb	Support		Support	
Laurence MacKenzie	Support		Support	
Edward Greenwood	Support		Support	
Christopher and Brenda Smith	Support		Support	
Alison Tymon	Support	I would like to give my reasons for supporting this designation. Greetland Quarry is a Local Geological Site because it is an excellent	Support	

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		educational geology site. It would be good for it to be used by the community and appreciated by anyone who values their geological heritage.		
Kirklees Met Council	No Comments	We do not wish to make any comments on the Greetland & West Vale application to designate a neighbourhood area and a neighbourhood forum. However, please consult Kirklees Council on the Neighbourhood Development Plans as they emerge if the above applications are approved.	No Comments	
The Coal Authority	No Comments	As you will be aware the Neighbourhood Plan area is outside of the defined coalfield and therefore The Coal Authority has no specific comments to make on your Neighbourhood Plan. In the spirit of ensuring efficiency of resources and proportionality it will not be necessary for you to provide The Coal Authority with any future drafts or updates to the emerging Neighbourhood Plan. Please use this letter as evidence for the legal and procedural consultation requirements. See Supporting Documents for full comment.		
National Farmers Union	No Objections	As you will be aware the farming community continues to face formidable challenges with increasing regulation, volatile markets and fluctuating farming returns. In response to these challenges farmers have had to consider the resources available to them and look at new ways of developing their businesses so that they can grow and remain competitive. This might include the need for modern agricultural buildings either to meet regulations or to change the use of existing buildings in order to respond to changing market demand. Our members within the neighbourhood		

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		<p>area are no exception and given that the area is largely farmed, it is clear that any form of Neighbourhood Plan must adequately the issues and opportunities of farming. Our vision for the area is: A sustainable rural community that is underpinned by an innovative rural economy, and thriving farming and food industry, which is profitable and supports viable livelihoods, underpins sustainable and healthier communities and enhances the environmental assets that are vital to the counties prosperity. For the farming community this vision is to be achieved by the following themes:</p> <ol style="list-style-type: none"> 1. Strengthening our farming businesses to help them build profitability and respond to new opportunities; 2. To create thriving localities that meet the needs of their communities, businesses and their environment. 3. Realising the value of the regions environmental assets In addition we would see some of the key priorities for farms to include (not in order of priority): <ol style="list-style-type: none"> i. The ability for the next generation to take on management of farms and to support this through the provision of affordable housing to allow succession. ii. Develop farming enterprises that can meet the challenges of food security through modernising and becoming more efficient. iii. Diversifying farming enterprises to meet new opportunities such as, inter alia, business units or tourism. iv. Developing renewable energy which 		

Person Making Comment	Support / Objection to FORUM	Comments or reasons	Support /Objection to NEIGHBOUR HOOD AREA	Comments or Reasons
		<p>meets the needs of the farm and are appropriate to the location and renewable resources available.</p> <p>v. Access to highspeed broadband.</p> <p>Food production is a key priority for economic growth both nationally but also importantly in such a rural area. In the Government white paper Local Growth: realising every place's potential the Coalition Government makes clear that the first priority is to return the nation's economy to health• . This includes creating, the conditions that will help business and gets the economy growing and this includes the support for farming enterprises so vital to the rural economy and enabling them to remain viable through diversified enterprises. We would expect that any proposals for developing farms will take this into account.</p> <p>Diversification is in line with National Planning Policy Framework (NPPF) that provides that local authorities should support development that enables farmers to become more competitive and sustainable and diversify into new opportunities. A key message within the NPPF is the need for economic growth. A positive planning system is essential, because without growth, a sustainable future cannot be achieved. Therefore, significant weight should be placed on the need to support economic growth through the planning system the default answer to development proposals is yes.</p> <p>In the NPPF the government makes a number of very important statements related to this the</p>		

Person Making Comment	Support / Objection to FORUM	Comments or reasons	Support /Objection to NEIGHBOUR HOOD AREA	Comments or Reasons
		<p>development of renewable energy. Paragraphs 95 to 98 make a number key points including:</p> <ul style="list-style-type: none"> • local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources(para 97); • have a positive strategy to promote energy from renewable and low carbon sources which maximise renewable and low carbon energy sources. Renewable energy represents an important opportunity for farms to reduce their energy bills and also to create revenue that can help support farming activity. We understand that this can be a contentious issue within communities and are aware that early consultation with those that are either impacted or likely to gain is crucial. <p>To help guide any work we have developed some principles which we believe will help to shape any activity in the area. These are:</p> <ol style="list-style-type: none"> 1. Food security is a crucial issue for now and the future and any actions must ensure that we do not compromise our ability to feed ourselves 2. We should look to increase farm productivity and decrease impact on the environment. 3. The achievement of sustainable development in rural areas through the integration of environmental, social and economic objectives. 		

Person Making Comment	Support / Objection to FORUM	Comments or reasons	Support /Objection to NEIGHBOUR HOOD AREA	Comments or Reasons
		<p>4. Meet the needs of a diverse rural population and ensure equality of opportunity.</p> <p>5. Maintain and enhance the areas natural asset base.</p> <p>6. Farmers and landowners should always be consulted and listened to with regard to developing the area.</p> <p>7. Support sustainable growth in the rural economy.</p> <p>8. Sustainable farming will support the wider community.</p> <p>9. Not one system of farming is the answer and all should be supported for maximum benefit to society and the environment;</p> <p>10. Encourage links between rural areas and urban centres.</p> <p>11. I hope that these comments are helpful and will be taken into account.</p>		
Natural England	No Comments	Please find Natural England's response in relation to the above mentioned consultation attached as a supporting document. Natural England does not have any specific comments on this application to establish a Neighbourhood Forum and designate a Neighbourhood Plan Area.	No Comments	
Environment Agency	No Comments	<p>We have no comments specifically about the proposed boundary for the Neighbourhood Area.</p> <p>We would, however, be grateful if you would pass the attached document to the Town/Parish Councils. See supporting documents</p>	No Comments	
Yorkshire	No	Yorkshire Wildlife Trust has no detailed comments to make about the red line boundary for the	No Comments	

Person Making Comment	Support / Objection to FORUM	Comments or reasons	Support /Objection to NEIGHBOURHOOD AREA	Comments or Reasons
Wildlife Trust	Comments	proposed neighbourhood plan area. We do however have the attached comments to make which we hope will be useful when composing the neighbourhood plan. See Supporting Documents		
Historic England	No Comments		No Comments	Historic England has no objection to this proposed boundary; however we would like to take the opportunity of your consultation to raise the attached issues (see supporting documents) setting out the support Historic England is able to offer in relation to Neighbourhood Plans.

APPENDIX 3 :

Proposed Amended Greetland & West Vale Neighbourhood Area

